

FILED
MAY - 9 2017
CLERK, U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

UNITED STATES OF AMERICA)
)
 v.) No. 1:17-mj-216
)
 KRISTY FARRAR CHAFFIN)
)
)
 Defendant.)

I, Rebecca J. Tomlinson, being duly sworn, state the following:

1. I have been a special agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") since August 2007. I am assigned to the Office of Field Operations for the Washington Field Division-East, in Washington, D.C. I have been involved in numerous investigations into illegal firearms trafficking, possession of firearms by prohibited persons, and distribution of controlled substances. While conducting and participating in these investigations, I have prepared and executed search warrants resulting in the seizure of narcotics, contraband, firearms, and proceeds and assets of illicit activities. I have also conducted mobile and static surveillance, interviewed and debriefed confidential informants and witnesses, and participated in arrests.

2. Through my training and experience, I am aware that federal law prohibits federal firearms licensees (“FFLs”) from selling a firearm to a non-licensee purchaser “unless the [FFL] records the transaction on a firearms transaction record, Form 4473.” 27 C.F.R. § 478.124(a). I am further aware that the law requires FFLs to retain “as a part of the required records, each Form 4473 obtained in the course of transferring custody of the firearms.” 27 C.F.R.

§ 478.124(a). Accordingly, any false statement a purchaser makes on a Form 4473 pertains to information an FFL is required by law to maintain.

3. I submit this affidavit in support of a complaint and corresponding arrest warrant charging KRISTY FARRAR CHAFFIN with knowingly making a false statement or representation on a Form 4473, with respect to information required by law to be kept in the records of an FFL, in violation of 18 U.S.C. § 924(a)(1)(A).

4. The facts and information contained in this affidavit are based upon my personal knowledge, as well as information and evidence obtained from other law enforcement officials and witnesses. All observations I did not personally make were related to me by the individuals who made them, or come from my review of records, documents, and other physical evidence obtained during the course of this investigation.

5. This affidavit contains information necessary to support probable cause for this application. It is not intended to include each and every fact and matter observed by me or known to the government.

PROBABLE CAUSE

6. On or about August 16, 2016, deputies from the King George County Sheriff's Office responded to a call that individuals were smoking marijuana in the parking lot of Big Dog Outfitters, a federal firearms licensee ("FFL") in King George, Virginia. Upon arriving at the scene, law enforcement identified two individuals, including a cooperating defendant (CD-1), smoking marijuana in CD-1's vehicle. After finding heroin in CD-1's possession, and determining that CD-1 had open warrants in Maryland, law enforcement arrested CD-1.¹

¹ CD-1 has cooperated with federal authorities in exchange for consideration with respect to federal charges arising out of his criminal activities. As described in this affidavit, law enforcement has corroborated statements made by CD-1 through other investigative means, and has found these statements reliable.

7. On or about September 13, 2016, ATF agents and other law enforcement officers interviewed CD-1 at Rappahannock Regional Jail in Stafford, Virginia. According to CD-1, in or around early August 2016, an individual known to CD-1 as "MA" purchased approximately three firearms from "B&B Pawn Shop" and "Spotsylvania Gold & Pawn." CD-1 told law enforcement these firearms were purchased by CHAFFIN, known to CD-1 as "MA," on CD-1's behalf and that CD-1 took these firearms to Maryland and sold the firearms to "Pedro".

8. On or about December 20, 2016, a proffer was conducted with CD-1. CD-1 told law enforcement that on July 28, 2016, CD-1 provided CHAFFIN with money to purchase firearms on CD-1's behalf. CHAFFIN purchased a Ruger P94 9mm pistol, bearing serial number 308-21799 and a Taurus Model PT945 .45 caliber pistol, bearing serial number NOE81300 from B&B Pawn Brokers Inc., located at 4420 Lafayette Blvd, Fredericksburg, VA. CHAFFIN also purchased a Smith & Wesson Model SD40 .40 caliber pistol, bearing serial number DUZ9991 and a Taurus Model PT840 .40 caliber pistol, bearing serial number SIW07937 from Spotsylvania Gold and Pawn, located at 5049 Jefferson Davis Hwy, Fredericksburg, VA. CD-1 took a photo of the four firearms and sent it to "Pedro" to see if "Pedro" wanted to purchase the firearms. "Pedro" told CD-1 he wanted all the guns. On the same day, CD-1 drove the firearms to Glen Burnie, MD where CD-1 met with "Pedro" and sold the firearms.

9. Law enforcement obtained copies of ATF Firearms Transaction Record Form 4473s for two separate firearms purchases conducted by CHAFFIN in July of 2016. These forms corroborated that CHAFFIN purchased a total of four firearms during this timeframe from Spotsylvania Gold and Pawn and B&B Pawn Brokers, Inc., two FFLs located in Fredericksburg, Virginia.

10. At the time of her firearm purchases on July 28, 2016, CHAFFIN completed a Form 4473. Question 11a on the form asked, "Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm to you." CHAFFIN answered "yes," representing that she was the actual transferee/buyer of the firearms listed on the form. On Section 16 of the form, CHAFFIN certified by signature that her answers on the form were "true, correct, and complete," and that she understood that "making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to [the] transaction, is a crime punishable as a felony under Federal law," and that "the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of law."

11. On October 4, 2016, agents interviewed CHAFFIN regarding her recent firearm purchases. CHAFFIN told the agents that CD-1 talked to her for several weeks about wanting CHAFFIN to purchase firearms for CD-1. CHAFFIN eventually agreed to purchase firearms for CD-1. CD-1 knew CHAFFIN would need a second form of identification for the firearm purchases, so CD-1 took CHAFFIN to get her Virginia Department of Game & Inland Fisheries fishing license, utilizing a fraudulent Russell Lane, Fredericksburg, VA address. On that same day, CD-1 drove CHAFFIN to Spotsylvania Gold and Pawn, a Federal Firearms Licensee (FFL). Prior to CHAFFIN exiting CD-1's vehicle, CD-1 told CHAFFIN what guns to purchase and provided CHAFFIN with approximately \$600 cash. CHAFFIN went inside the FFL and purchased a Smith & Wesson Model SD40 .40 caliber pistol, bearing serial number DUZ9991 and a Taurus Model PT840 .40 caliber pistol, bearing serial number SIW07937. CHAFFIN exited the FFL with the firearms and placed the guns inside CD-1's vehicle. CD-1 then drove

CHAFFIN to B&B Pawn Brokers INC (FFL). Prior to CHAFFIN exiting the vehicle, CD-1 told CHAFFIN what firearms to purchase and provided CHAFFIN with cash to purchase the firearms. CHAFFIN purchased a Ruger Model P94 9mm pistol, bearing serial number 308-21799 and a Taurus Model PT945 .45 caliber pistol, bearing serial number NOE81300. CHAFFIN carried the firearms out of the FFL and placed them inside CD-1's trunk.

12. During the interview, CHAFFIN acknowledged that, at the time of each purchase, she had completed a Form 4473, subsequently obtained by ATF, and had provided an affirmative response to Question 11a: "Are you the actual transferee/buyer of the firearm(s) listed on this form?" She further admitted to providing a fraudulent address on the Form 4473s. At the time of her interview, CHAFFIN was shown copies of the ATF Form 4473s and confirmed that these were the forms she filled out in order to purchase the firearms.

13. On September 16, 2016, law enforcement recovered a firearm in the vicinity of Newtowne Drive, Annapolis, Maryland. This was one of the firearms purchased by CHAFFIN on or about July 28, 2016.

CONCLUSION

Based on the foregoing facts, I believe there is probable cause to conclude that, on or about July 28, 2016, in Fredericksburg, Virginia, within the Eastern District of Virginia, KRISTY FARRAR CHAFFIN knowingly made false statements or representations with respect to information required by law to be kept in the records of an FFL, in violation of 18 U.S.C. § 924(a)(1)(A).



Rebecca J. Tomlinson, Special Agent
Bureau of Alcohol, Tobacco, Firearms, and Explosives

Sworn to and subscribed to before me this 1st day of May 2017.

 /s/
Michael S. Nachmanoff

United States Magistrate Judge
The Honorable Michael S. Nachmanoff
United States Magistrate Judge